

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION

99 JAN 13 AM 9:43

U.S. DISTRICT COURT
N.D. OF ALABAMA

VENTOURA DEMON PHILLIPS,

Plaintiff,

VS.

MRS. CULVER, et al.

Defendants.

ENTERED

JAN 13 1999

CV-97-PT-2987-M

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on October 26, 1998, recommending that this action be DISMISSED as frivolous and for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915A(b)(1) and (2). No objections have been filed by any party.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and his recommendation is ACCEPTED. The Court EXPRESSLY FINDS that this complaint is due to be and hereby is DISMISSED as frivolous under 28 U.S.C. § 1915A(b)(1). A Final Judgment will be entered.

DATED this 13 day of January, 1999.

ROBERT B. PROPST

UNITED STATES DISTRICT JUDGE

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